

FACSIMILE COVER SHEET

Date: August 14, 2003

To: Examiner Joseph Waks – Group 2800
United States Patent and Trademark Office
Fax No: (703) 746-4176From: Steven P. Shurtz
Tel. No: (801) 444-3933

Client No: 8864

No. of Pages
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COVER MESSAGE:

Enclosed for filing in Serial No. 09/738,268 is an Amendment (after final), as well as a transmittal letter.

BRINKS
HOFER
GILSON
& LIONE

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TRANSMITTAL LETTER			Case No. 8864/23
Serial No. 09/738,268	Filing Date December 15, 2000	Examiner Joseph Waks	Group Art Unit 2834
Inventor(s) LIEU ET AL.			
Title of Invention SPINDLE MOTOR WITH ENCAPSULATED STATOR AND METHOD OF MAKING SAME			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an Amendment.

Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.

Applicant claims small entity status. See 37 CFR 1.27.

Petition for a _____ month extension of time.

No additional fee is required.

The fee has been calculated as shown below:

					Small Entity		Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total	54	Minus	73	0	x \$9=	0	x \$18=	
Indep.	6	Minus	12	0	x 42=	0	x \$84=	
First Presentation of Multiple Dep. Claim					+\$140=		+\$ 280=	
					Total add'l fee	\$	Total add'l fee	\$

Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.

Credit Card Form in the amount of _____ to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Steven P. Shurtz
 Steven P. Shurtz
 Registration No. 31,424
 Attorney for Applicants
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I hereby certify that this correspondence is being transmitted by facsimile to Group Art Unit 2800 at 703 746-4176 on August 14, 2003.

Date: 8/14/03 Signature: Steven P. Shurtz

I hereby certify that this correspondence is being transmitted by facsimile to Group Art Unit 2800 at 703 746-4174 on August 14, 2003

Steven P. Shurtz, Reg. No. 31,424

Name of applicant, assignee or
Registered Representative

Steven P. Shurtz

Signature

August 14, 2003

Date of Signature

Our Case No. 8864/23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Dennis K. Lieu, et al.)
Serial No. 09/738,268) Examiner: J. Waks
Filing Date: December 15, 2000) Group Art Unit: 2834
For: SPINDLE MOTOR WITH ENCAPSULATED STATOR AND METHOD OF MAKING SAME)

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action and final rejection mailed January 31, 2003, Applicants mailed a Notice of Appeal on July 31, 2003. However, it has been decided to accept the allowed and allowable claims rather than prosecute the appeal.

Applicants filed an Amendment on August 5, 2003. However, in a telephone call from Examiner Waks, Applicants' attorney was informed that the August 5, 2003 amendment was not going to be entered. Based on suggestions from Examiner Waks, the claims have been further amended. Therefore, please enter the following amendment instead of the August 5, 2003 amendment, and consider the following remarks.

*FAX RECEIVED
AUG 19 2003
TECHNOLOGY CENTER 2000*

Amendments to the claims are reflected in the listing of claims which begins on page 3 of this paper. Remarks begin on page 12 of the paper.